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Attorneys for Defendant FRED ANDERSON

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

MARTIN VOGEL and KENNETH  
MAHONEY, on Behalf of Themselves and  
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,  
FRED ANDERSON, WILLIAM V.  
CAMPBELL, MILLARD S. DREXLER,  
ALBERT GORE, JR., ARTHUR D.  
LEVINSON, JEROME B. YORK AND  
APPLE COMPUTER, INC.

Defendants.

Case No. C-06-05208-JF

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
COMPLAINT**

Action Filed: August 24, 2006  
Jury Trial Demanded

1 The undersigned parties by and through their respective counsel of record, hereby  
 2 stipulate and agree as follows:

3 WHEREAS, the Court entered an Order on March 19, 2007 setting the schedule for the  
 4 filing of a Consolidated Class Action Complaint in this action ("Consolidated Complaint") and  
 5 setting May 7, 2007 as the date for the parties originally named as defendants in the suit to  
 6 respond; and

7 WHEREAS, the Consolidated Complaint, filed on March 23, 2007, added new defendants  
 8 who were not named in the original suit, namely, Gareth C.C. Chang, Peter O. Crisp, Lawrence J.  
 9 Ellison, B. Jurgen Hintz, Katherine M. Hudson, Delano E. Lewis, Jr., A. C. Markkula, Jr., and  
 10 Edgar S. Woolard, Jr. ("New Defendants");

11 WHEREAS, the Court issued summonses to the New Defendants on April 23, 2007;

12 WHEREAS, some of the New Defendants have been served and the remainder are  
 13 expected to voluntarily accept service;

14 WHEREAS, the parties have met and conferred and wish to establish a new schedule  
 15 governing the filing of all defendants' responses to the Consolidated Complaint;

16 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, subject to the  
 17 approval of the Court, as follows:

18 1. All defendants who have been served or who shall voluntarily accept service shall  
 19 file their responses to the Consolidated Complaint on or before June 8, 2007;

20 2. In the event that defendants respond to the Consolidated Complaint by filing  
 21 motions to dismiss, the briefing and hearing schedule for defendants' motions to dismiss will be:

22 Plaintiffs' Opposition Due: July 30, 2007

23 Defendants' Replies Due: August 17, 2007

24 Hearing on Defendants' Motions to Dismiss: September 7, 2007

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28 ///

1 IT IS SO STIPULATED.

2  
3 Dated: May 3, 2007

GEORGE A. RILEY  
DAVID M. FURBUSH  
O'MELVENY & MYERS LLP

5  
6 By: /s/ David M. Furbush  
David M. Furbush

7 Attorneys for Defendants STEVEN P. JOBS, WILLIAM  
8 V. CAMPBELL, MILLARD S. DREXLER, ARTHUR  
D. LEVINSON, JEROME B. YORK AND APPLE INC.

9 Dated: May 3, 2007

JEROME C. ROTH  
YOHANCE C. EDWARDS  
MUNGER TOLLES & OLSON LLP

11  
12 By: /s/ Yohance C. Edwards  
Yohance C. Edwards

13 Attorneys for Defendant FRED D. ANDERSON

14 Dated: May 3, 2007

JAY W. EISENHOFER  
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19  
20 By: /s/ Michael J. Barry  
Michael J. Barry

21 MERRILL GLEN EMERICK (State Bar No. 117248)  
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400 S. El Camino Real, Suite 700  
23 San Mateo, CA 94402

24 Attorneys for Lead Plaintiff THE NEW YORK CITY  
EMPLOYEES' RETIREMENT SYSTEM

1 I, David M. Furbush, am the ECF User whose ID and password are being used to file this  
2 Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In compliance with  
3 General Order 45, X.B., I hereby attest that Yohance C. Edwards and Michael J. Barry have  
4 concurred in this filing.

5 By: /s/ David M. Furbush  
6 David M. Furbush

7  
8 **ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10  
11 Dated: \_\_\_\_\_

12 By: \_\_\_\_\_  
13 THE HONORABLE JEREMY FOGEL  
14 UNITED STATES DISTRICT JUDGE

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